

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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LEONARDO XUM TAMBRIZ,
OCTAVIANO XUM TAMBRIZ,
RUBEN ROMERO ROBLES,
and on behalf of others similarly situated,

Plaintiffs,

20 CIVIL 5409 (AJN) (RWL)

-against-

DEFAULT JUDGMENT

TASTE AND SABOR LLC (D/B/A TASTE
AND SABOR), JACOB R. SELECHNIK,
and NURKIA DELEON,

Defendants.

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It is hereby **ORDERED, ADJUDGED, AND DECREED**, That for the reasons stated in the Court's Order dated January 31, 2022, On November 6, 2021, the Court referred Plaintiffs' motion for default judgment against Defendants Taste and Sabor LLC and Nurkia DeLeon to Magistrate Judge Robert Lehrburger. Dkt. No. 44. On December 29, 2021, Judge Lehrburger filed a Report & Recommendation recommending that the Court grant Plaintiffs' motion for default judgment against Defendants. Dkt. No. 51. As of this date, no objections to the Report & Recommendation have been filed, and the deadline for objections has passed. *See* Dkt. No. 51 at 33. Thus, the Court reviews the Report & Recommendation for clear error, and it finds none. The Court therefore adopts the Report & Recommendation in its entirety and GRANTS Plaintiffs' motion for default judgment against Defendants Taste and Sabor LLC and Nurkia DeLeon. Default Judgment shall be entered in favor of Plaintiffs and against Defendant as summarized in the following chart, together with attorneys' fees in the amount of \$1,292.50 and costs in the amount of \$622.80:

	Leonardo	Octaviano	Robles
Minimum Wages	\$7,000	\$3,600	\$3,240
Overtime Wages	\$22,942.50	\$2,415	\$0
Spread-of-Hours	\$2,242.50	\$172.50	\$0
Liquidated Damages	\$32,185	\$6,187.50	\$3,240
NYLL Penalties	\$10,000	\$10,000	\$10,000

Additionally, each Plaintiff should be awarded pre-judgment interest from the midpoint between September 1, 2019 and the date of Judgment, at the statutory 9% rate, applied to the following amounts: \$32,185 (Leonardo), \$6,187.50 (Octaviano), and \$3,240 (Robles).

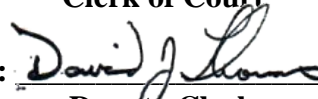
Default Judgment is hereby entered in favor of Plaintiff Leonardo against the Defendants in the amount of \$74,370.00 plus 9% pre-interest on the amount of \$32,185.00 from September 1, 2019 until the entry of judgment in the amount of \$7,015.45 for a total of \$81,385.45; in favor of Plaintiff Octaviano against Defendants in the amount of \$22,375.00 plus 9% pre-interest on the amount of \$6,187.50 from September 1, 2019 until the entry of judgment in the amount of \$1,348.71 for a total of \$28,562.50; and in favor of Plaintiff Robles against Defendants in the amount of \$16,480.00 plus 9% pre-interest on the amount of \$3,240.00 from September 1, 2019 until the entry of judgment in the amount of \$706.23 for a total of \$17,186.23, with attorneys' fees in the amount of \$1,292.50 and costs in the amount of 622.80, for a total sum of \$129,049.48; and the case is closed.

DATED: New York, New York
January 31, 2022

RUBY J. KRAJICK

Clerk of Court

BY:


Deputy Clerk